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United Nations

Report of the Committee on the Rights of the Child

Seventy-second session
(17 May–3 June 2016)

Seventy-third session
(13–30 September 2016)

Seventy-fourth session
(16 January–3 February 2017)

Seventy-fifth session
(15 May–2 June 2017)

Seventy-sixth session
(11–29 September 2017)

Seventy-seventh session
(15 January–2 February 2018)

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Note

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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I. Organizational and other matters

A. States parties to the Convention

1. As at 2 February 2018, the closing date of the seventy-seventh session of the Committee on the Rights of the Child, there were 196 States parties to the Convention on the Rights of the Child. This makes it the most widely ratified human rights instrument, with only one ratification left to reach universal ratification, namely that of United States of America. An updated list of States that have signed, ratified or acceded to the Convention can be consulted at www.ohchr.org or http://treaties.un.org.

2. As at the same date, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified or acceded to by 167 States parties, 5 more than at the time of the last report, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified or acceded to by 174 States parties, 3 more than at the time of the last report.

3. The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, adopted by the General Assembly on 19 December 2011, entered into force on 14 April 2014, three months after the deposit of the tenth instrument of ratification or accession, in accordance with article 19 (1) of the Optional Protocol. As at 2 February 2018, it had been ratified by 37 States, 13 more than the time of the last report. An updated list of States that have signed, ratified or acceded to the three Optional Protocols can be consulted at www.ohchr.org or http://treaties.un.org.

B. Sessions of the Committee

4. The Committee held six sessions since the adoption of its previous biennial report:[1] the seventy-second session (17 May–3 June 2016), seventy-third session (13–30 September 2016), seventy-fourth session (16 January–3 February 2017), seventy-fifth session (15 May–2 June 2017), seventy-sixth session (11–29 September 2017) and seventy-seventh session (15 January–2 February 2018). Subsequent to each session, the Committee makes public all concluding observations adopted, as well as any decisions and recommendations (including those arising from a day of general discussion) and general comments adopted. The full text of those documents can be found at www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx.

C. Membership and officers of the Committee

5. From the seventy-second to the seventy-fourth session, the Committee retained the same members and officers noted in its previous report to the General Assembly, with Benyam Dawit Mezmur as the Chair.[2]

6. In accordance with article 43 of the Convention, the Sixteenth Meeting of States Parties to the Convention was convened on 30 June 2016 at United Nations Headquarters. The following nine members of the Committee were elected or re-elected for a term of four

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 41* (A/71/41).

[2] Ibid., annex I.

years beginning on 1 March 2017: Amal Salman Aldoseri, Olga A. Khazova, Cephas Lumina, Benyam Dawit Mezmur, Mikiko Otani, Luis Ernesto Pedernera Reyna, Ann Marie Skelton, Velina Todorova and Renate Winter.

7. The list of the members of the Committee, with an indication of their term of office, appears in annex I to the present report. Annex I also indicates the officers elected at the seventy-fifth session of the Committee, including the new Chair, Renate Winter.

D. Adoption of the report

8. At its 2302nd meeting, held on 28 May 2018, the Committee considered the draft of its fourteenth biennial report to the General Assembly, covering its activities from the seventy-second to the seventy-seventh session. The report was adopted unanimously by the Committee.

II. Reports by States parties under article 44 of the Convention, article 8 of the Optional Protocol on the involvement of children in armed conflict and article 12 of the Optional Protocol on the sale of children, child prostitution and child pornography

A. Submission of reports

9. The status of submission of reports and the adoption of related concluding observations can be found at: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx.

10. As at 2 February 2018, the Committee had received 553 reports pursuant to article 44 of the Convention, including 198 initial and 335 periodic reports, as well as 115 initial State party reports and 2 periodic reports under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and 111 initial reports and 2 periodic reports under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. As at 2 February 2018, the backlog of reports to be considered by the Committee stood at 41 reports: 27 under the Convention, 6 under the Optional Protocol on the involvement of children in armed conflict and 8 under the Optional Protocol on the sale of children, child prostitution and child pornography.

B. Consideration of reports

11. At its seventy-second to seventy-seventh sessions, the Committee considered 42 initial and periodic reports under the Convention, 9 initial reports under the Optional Protocol on the involvement of children in armed conflict and 11 initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography.

12. The following table indicates, by session, the reports of States parties considered by the Committee during the period covered by the present report, including their respective document symbols. It further provides the document symbol of the concluding observations.

	State party report	*Concluding observations*
Seventy-second session, 17 May–3 June 2016		
Convention on the Rights of the Child		
Bulgaria	CRC/C/BGR/3-5	CRC/C/BGR/CO/3-5
Gabon	CRC/C/GAB/2	CRC/C/GAB/CO/2
Nepal	CRC/C/NPL/3-5	CRC/C/NPL/CO/3-5 and Corr.1
Pakistan	CRC/C/PAK/5	CRC/C/PAK/CO/5
Samoa	CRC/C/WSM/2-4	CRC/C/WSM/CO/2-4
Slovakia	CRC/C/SVK/3-5	CRC/C/SVK/CO/3-5
United Kingdom of Great Britain and Northern Ireland	CRC/C/GBR/5	CRC/C/GBR/CO/5 and Corr.1
Optional Protocol on the involvement of children in armed conflict		
Nepal	CRC/C/OPAC/NPL/1	CRC/C/OPAC/NPL/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Gabon	CRC/C/OPSC/GAB/1	CRC/C/OPSC/GAB/CO/1
Luxembourg	CRC/C/OPSC/LUX/1	CRC/C/OPSC/LUX/CO/1
Seventy-third session, 13–30 September 2016		
Convention on the Rights of the Child		
Nauru	CRC/C/NRU/1	CRC/C/NRU/CO/1
New Zealand	CRC/C/NZL/5	CRC/C/NZL/CO/5
Saudi Arabia	CRC/C/SAU/3-4	CRC/C/SAU/CO/3-4
Sierra Leone	CRC/C/SLE/3-5	CRC/C/SLE/CO/3-5
South Africa	CRC/C/ZAF/2	CRC/C/ZAF/CO/2
Suriname	CRC/C/SUR/3-4	CRC/C/SUR/CO/3-4
Optional Protocol on the sale of children, child prostitution and child pornography		
New Zealand	CRC/C/OPSC/NZL/1	CRC/C/OPSC/NZL/CO/1
South Africa	CRC/C/OPSC/ZAF/1	CRC/C/OPSC/ZAF/CO/1
Seventy-fourth session, 16 January–3 February 2017		
Convention on the Rights of the Child		
Barbados	CRC/C/BRB/2	CRC/C/BRB/CO/2
Central African Republic	CRC/C/CAF/2	CRC/C/CAF/CO/2
Democratic Republic of the Congo	CRC/C/COD/3-5	CRC/C/COD/CO/3-5

	State party report	*Concluding observations*
Estonia	CRC/C/EST/2-4	CRC/C/EST/CO/2-4
Georgia	CRC/C/GEO/4	CRC/C/GEO/CO/4
Malawi	CRC/C/MWI/3-5	CRC/C/MWI/CO/3-5
Saint Vincent and the Grenadines	CRC/C/VCT/2-3	CRC/C/VCT/CO/2-3
Serbia	CRC/C/SRB/2-3	CRC/C/SRB/CO/2-3
Optional Protocol on the involvement of children in armed conflict		
Estonia	CRC/C/OPAC/EST/1	CRC/C/OPAC/EST/CO/1
Malawi	CRC/C/OPAC/MWI/1	CRC/C/OPAC/MWI/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Democratic Republic of the Congo	CRC/C/OPSC/COD/1	CRC/C/OPSC/COD/CO/1
Malawi	CRC/C/OPSC/MWI/1	CRC/C/OPSC/MWI/CO/1
Seventy-fifth session, 15 May–2 June 2017		
Convention on the Rights of the Child		
Antigua and Barbuda	CRC/C/ATG/2-4	CRC/C/ATG/CO/2-4
Bhutan	CRC/C/BTN/3-5	CRC/C/BTN/CO/3-5
Cameroon	CRC/C/CMR/3-5	CRC/C/CMR/CO/3-5 and Corr.1
Lebanon	CRC/C/LBN/4-5	CRC/C/LBN/CO/4-5
Mongolia	CRC/C/MNG/5	CRC/C/MNG/CO/5
Qatar	CRC/C/QAT/3-4	CRC/C/QAT/CO/3-4
Romania	CRC/C/ROU/5	CRC/C/ROU/CO/5
Optional Protocol on the involvement of children in armed conflict		
Bhutan	CRC/C/OPAC/BTN/1 and Corr.1	CRC/C/OPAC/BTN/CO/1
United States of America	CRC/C/OPAC/USA/3-4	CRC/C/OPAC/USA/CO/3-4
Optional Protocol on the sale of children, child prostitution and child pornography		
Bhutan	CRC/C/OPSC/BTN/1	CRC/C/OPSC/BTN/CO/1
United States of America	CRC/C/OPSC/USA/3-4	CRC/C/OPSC/USA/CO/3-4

	State party report	*Concluding observations*
Seventy-sixth session, 11–29 September 2017		
Convention on the Rights of the Child		
Democratic People's Republic of Korea	CRC/C/PRK/5	CRC/C/PRK/CO/5
Denmark	CRC/C/DNK/5	CRC/C/DNK/CO/5
Ecuador	CRC/C/ECU/5-6	CRC/C/ECU/CO/5-6
Republic of Moldova	CRC/C/MDA/4-5	CRC/C/MDA/CO/4-5
Tajikistan	CRC/C/TJK/3-5	CRC/C/TJK/CO/3-5
Vanuatu	CRC/C/VUT/2	CRC/C/VUT/CO/2
Optional Protocol on the involvement of children in armed conflict		
Cyprus	CRC/C/OPAC/CYP/1	CRC/C/OPAC/CYP/CO/1
Tajikistan	CRC/C/OPAC/TJK/1 and Corr.1	CRC/C/OPAC/TJK/CO/1
Vanuatu	CRC/C/OPAC/VUT/1	CRC/C/OPAC/VUT/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Tajikistan	CRC/C/OPSC/TJK/1	CRC/C/OPSC/TJK/CO/1
Vanuatu	CRC/C/OPSC/VUT/1	CRC/C/OPSC/VUT/CO/1
Seventy-seventh session, 15 January–2 February 2018		
Convention on the Rights of the Child		
Guatemala	CRC/C/GTM/5-6	CRC/C/GTM/CO/5-6
Marshall Islands	CRC/C/MHL/3-4	CRC/C/MHL/CO/3-4
Palau	CRC/C/PLW/2	CRC/C/PLW/CO/2
Panama	CRC/C/PAN/5-6	CRC/C/PAN/CO/5-6
Seychelles	CRC/C/SYC/5-6	CRC/C/SYC/CO/5-6
Solomon Islands	CRC/C/SLB/2-3	CRC/C/SLB/CO/2-3
Spain	CRC/C/ESP/5-6	CRC/C/ESP/CO/5-6
Sri Lanka	CRC/C/LKA/5-6	CRC/C/LKA/CO/5-6

13. The Committee reviewed the reports of the Marshall Islands, Solomon Islands and Vanuatu by videoconference with the support of the United Nations Children's Fund (UNICEF) Regional Office for East Asia and the Pacific.

14. During the period under consideration, the Committee did not receive any comments from States parties on concluding observations.

C. Progress achieved: trends and challenges of the implementation process

15. In accordance with its practice regarding its biennial reports, in the present section the Committee assesses achievements and challenges, as well as current trends in children's rights. In particular, the Committee dedicates a subsection to children's rights in the context of international migration.

1. Progress achieved in general

16. During the period under review, the Committee on the Rights of the Child considered at six sessions a total of 62 reports under the Convention and its first two Optional Protocols. In addition, it issued its second and third general comments jointly with another Committee (see paras. 22 and 56 below). It also adopted its first views on an individual communication under article 5 of the Optional Protocol on a communications procedure and carried out its first inquiry visit under article 13 of the same Optional Protocol.

17. Between sessions, the Committee members were personally engaged in numerous activities. Those included participating in several meetings, conferences, seminars, lectures and courses. Additionally, many Committee members were involved in the follow-up to the concluding observations of the Committee in a number of countries upon invitation from States, civil society organizations and UNICEF. That work remains indispensable to guarantee a better application of the Convention and the three Optional Protocols thereto.

18. The Committee continued its work on the process initiated by the United Nations High Commissioner for Human Rights in 2009 on strengthening the treaty body system. In accordance with its decision No. 11 of 19 September 2014 on follow-up of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, in 2016 the Committee made the simplified reporting procedure available to States parties whose periodic reports were due from 1 September 2019 onwards, by issuing quarterly invitations to participate in the simplified procedure. The first round of invitations was sent in November 2016, followed by invitations sent in March 2017, August 2017 and November 2017. Twenty-five countries received an invitation during the reporting period. So far, Croatia, Hungary, Poland and Switzerland have decided to avail themselves of the simplified reporting procedure.

19. Also in accordance with its decision No. 11, to ensure that its concluding observations are focused, clear, actionable and implementable in line with General Assembly resolution 68/268, the Committee decided to adopt a new format for concluding observations addressed to States parties that have reported at least two times to the Committee. While emphasizing the importance of all recommendations, the Committee draws the States parties' attention to a maximum of six areas in respect of which urgent measures must be taken.

2. Children's rights in the context of international migration

20. Since its creation in 1991, the Committee has engaged with the topic of children in the context of international migration. This has been done initially through concluding observations and subsequently through general comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin and the recommendations from the 2012 day of general discussion on "The rights of children in the context of international migration", among others.

21. In recent years, the global migration crisis has increasingly assumed the face of a child. In 2017, an estimated 30 million children were living outside their country of origin.[3] Every year, a number of children have died while following different migration routes of the world, and they continue to become victims of trafficking and/or sexual violence, are detained and/or deported, and/or are separated from their parents due to their migration status or other reasons, with limited or no opportunity for family reunification. Their rights to education, health care and other basic rights are compromised.

22. The Committee on the Rights of the Child and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families adopted two joint general comments in 2017. The first concerns the general principles regarding the human rights of children in the context of international migration and the second State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return. The two joint general comments serve as technical tools that could address the number of challenges regarding the rights of those children and inform the policy and practical responses that should be carried out in this regard. The joint general comments are relevant for all countries, namely countries of origin, transit, destination and return. Since the Convention on the Rights of the Child has been ratified by 196 States, the obligations detailed in the general comment have global resonance.

23. The main message of the joint general comments is that each child should be treated as a child first and foremost and that child protection and welfare should be a primary consideration within migration policies and practices. The obligation to develop and implement comprehensive rights-based migration policies in countries of origin, transit, destination and return cannot be overemphasized. After all, the Convention requires States parties to undertake legislative, administrative and other measures to realize the rights of all children.

24. The Committee emphasizes the obligation of States to place the principle of non-discrimination at the centre of all migration policies and procedures, including border control measures, regardless of the migration status of the children or their parents. The right of the child to have his or her best interests taken as a primary consideration means that the child's interests have high priority and are not just one of several considerations. Therefore, for example, harmful border governance measures such as pushbacks and dangerous interceptions, which are often mainly intended to send a message of deterrence, run the risk of undermining children's best interests. Article 12 of the Convention on children's views should be taken seriously and inform administrative or judicial proceedings related to child migrants or their families' cases, including any decision on care, shelter or migration status.

25. Individual assessment is critical to any migration law, policy and practice with a view to upholding a child's best interests. For instance, individual age determination is central to immigration policy. Laws, policies or practices that leave children between 15 and 18 years of age to be provided with lower levels of protection constitute a violation of the Convention. To make an informed estimate of age, States should undertake a comprehensive assessment of the child's physical and psychological development, and should understand that medical methods based on, inter alia, bone and dental exam analysis, are often inaccurate, with great room for error, and can also be traumatic to a child.

[3] UNICEF analysis based on Department of Economic and Social Affairs, "Trends in international migrant stock: the 2017 revision" (New York, 2017) and UNHCR, "Global trends: forced displacement in 2016" (Geneva, 2017).

26. Moreover, individual assessment is central to offering tailor-made and effective guardianship, as well as to facilitating family reunification. While States are not obliged to grant the nationality of their territory to every child born there, a key measure in avoiding that children become stateless is the individual assessment and conferral of nationality to a child born on the territory of the State, at birth or as early as possible after birth, if the child would otherwise be stateless. Also, the obligation to develop a systematic rights-based policy on the collection of disaggregated qualitative and quantitative data on all children in the context of international migration should be aimed at developing policies and programmes that support individual protection of their rights.

27. Detention has serious implications for the rights of children. As a result, children should not be detained for reasons related to their or their parents' migration status and the call on States parties to expeditiously and completely cease the detention of children for immigration purposes is urgent.

28. Finally, international, regional or bilateral cooperation and dialogue is important to ensure safe, orderly and regular migration, with full respect for children's rights. As the development of the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees is under way, the Committee emphasizes the added value of making the Convention on the Rights of the Child and children a central part of these two significant agreements with a view to respecting, protecting and fulfilling the rights of child migrants and refugees.

3. Trends and challenges

29. Throughout the reviews of the States parties carried out during the reporting period, the Committee has noted advances in the field of education and health in particular. More countries are implementing free and compulsory education, there is a reduction in age disparities between genders in out-of-school children, and there is greater focus on early education and care, although this not always available for free. Rates for child mortality are consistently decreasing and more children are immunized, although a still important number of children die every year due to preventable diseases. Birth registration rates are increasing in almost every country.

30. However, much needs to be done to make sure that all children all over the world can fully enjoy the rights contained in the Convention and the Optional Protocols thereto. The Committee encourages States parties to step up efforts to fully reach those goals and targets contained in the 2030 Agenda for Sustainable Development that are related to the Convention, including those on child protection, education, health and reducing inequality, so that no child is left behind. In this regard, the Committee, through the work of its working group on the Sustainable Development Goals, with the support of UNICEF and the Office of the United Nations High Commissioner for Human Rights (OHCHR), is focusing its attention on ensuring that the Sustainable Development Goals constitute an integral part of the observations and recommendations that the Committee addresses to States parties under review, including developed States, and with regard to all rights, including civil and political ones.

31. The Committee reiterates all the concerns expressed in its previous biennial report,[4] particularly the ones about non-discrimination and violence against children. Both continue to be widespread and affect children in all settings and in all regions of the world. It also reiterates its serious concern about the increasing number of children and their families

[4] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 41* (A/71/41), paras. 32–39.

escaping from a situation of war and seeking refugee status. It strongly reiterates that they should receive appropriate protection and humanitarian assistance in accordance with article 22 of the Convention and other relevant international human rights treaties, as well as international humanitarian law.

32. It also reiterates its concerns about regressive practices concerning juvenile justice, including the sentencing to death or to life imprisonment of persons who have committed crimes when under 18. Furthermore, despite some improvements, many States parties still do not invest in diversion and in non-custodial sentence options. While many States have raised the minimum age of criminal responsibility in recent years, some have gone against the Committee's guidance by lowering the minimum age. The Committee further notices that many countries still do not have adequate substantive or procedural safeguards in place for all children below 18 years, especially when suspected of being involved in terrorism-related crimes. Children associated with terrorism have suffered from multiple forms of violence and should primarily be treated as victims. States are encouraged to develop tailored prosecution, rehabilitation and reintegration strategies with a child rights-based approach and to take into account gender and age sensitivities.

33. The Committee reiterates its concern about the persisting violation of the rights of children with disabilities, which continues despite the previous recommendations of the Committee. The institutionalization of children with disabilities remains widespread, due both to the stigma and the lack of social, psychological, educational and medical assistance and support available to the families. In the field of education there is still segregation in many cases and many children remain out of school. In addition, States parties often do not understand the concept of the right to quality and inclusive education, confusing it with school integration or not providing sufficient resources to carry it out. Implementation of Sustainable Development Goal 4, which aims at "achieving inclusive and equitable quality education", should be an opportunity for States parties to consider inclusive education as a right of all children and not only as the choice of the parents or a social policy. The Committee calls upon States parties to provide the necessary human, technical and financial resources, as well as sufficient training, for the education system to be inclusive as a general rule and to not leave any child with disabilities behind. Similarly, States parties should ensure the full inclusion of children with disabilities in all areas of ordinary life, such as sport and access to culture or play, by providing sufficient resources and fighting against the causes of discrimination.

34. The Committee is also concerned that children's rights are not adequately taken into account in the international and national responses to climate change. No group is more vulnerable to environmental harm than children and, because of their evolving physical and mental development, children are particularly vulnerable to the risks created by climate change. Almost all the substantive rights of the child may be affected by climate change: the right to life, survival and development, health, education, rest, leisure and play, housing, food, water and sanitation and identity, as well as freedom from exploitation and all forms of violence. Consequently, when determining what mitigation and adaptation measures to take, States must take into account the rights and best interests of the child. Furthermore, children's right to participate in decision-making is crucial in this context. Structures must be developed for involving children and young people in decisions at local, national and international levels, including children in vulnerable situations. At present, children's concern for the environment is not reflected in the degree to which they participate in decision-making. To be able to participate meaningfully, they need proper information about climate change and its impact. Education is children's main source of gaining environmental information. In line with target 4.7 of the Sustainable Development Goals, States should "ensure that all learners acquire the knowledge and skills needed to promote sustainable development". This is necessary so children can become actors of change in this area.

35. With regard to general measures of implementation, in common with other treaty bodies and the special procedures, the Committee recognizes that the ability of States to realize all human rights is, to a large extent, dependent on the allocation of sufficient budgetary resources to sectors and infrastructure supporting human rights, as well as the efficient use of those resources.[5] Nevertheless, the Committee has noted that many States parties do not provide sufficient information, either in their periodic reports or during the dialogue with the Committee, on budgetary allocations to enable the Committee to make an appropriate assessment of whether they are complying with their human rights obligations. It would therefore be helpful if States parties could furnish the Committee with information on whether the Government carries out regular benefit incidence analysis to assess the impact of budgetary allocations on children and, in particular, to ensure that allocation of funds is consistent with its obligation of non-discrimination. The Committee would also like to receive information on measures taken: to monitor budgets at all levels of government (national, provincial and local) to ensure that those levels of government are implementing their budgets in line with the State's human rights obligations; to ensure the efficiency of allocations, through assessing whether the allocation of resources across different activities in furtherance of children's rights makes the most efficient use of available funds; and to ensure operational efficiency by assessing that the Government is getting the most out of the resources spent for the realization of all human rights.

36. In addition, the collection of qualitative and quantitative disaggregated data, to help States to identify children in vulnerable situations and develop and adopt specific policies and programmes to address their problems, is a challenge for States parties in all regions.

37. With reference to the implementation of and reporting on the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography, the Committee noted that States parties encounter numerous challenges in this regard, in particular with reference to developing effective prevention strategies and providing child victims of any form of sexual exploitation with all necessary protection and measures for their full recovery and for seeking remedies. In addition, the Committee is concerned about the significant rise in the widespread use of information communication technologies for the purpose of sexual abuse and/or exploitation of children that challenges the implementation of the Optional Protocol, and the absence of clear and consistent terminology relating to the new forms of child sexual abuse and exploitation that have fostered confusion among States in identifying these new trends and classifying them within the existing legal framework of the Optional Protocol. In that regard, the Committee took the decision to revise the guidelines for the implementation and reporting on that Optional Protocol in order to improve the quality of the reporting by States parties, United Nations agencies, non-governmental organizations and others on the implementation of the Optional Protocol, as well as to support and facilitate the task of the Committee in monitoring its implementation.

38. The Committee reiterates its concern about the low pace of ratification, accession to and reporting under the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography. During the reporting period, only five States ratified or acceded to the Protocol on the involvement of children in armed conflict and three States ratified/acceded to the Protocol on the sale of children, child prostitution and child pornography. It is a serious concern that at the end of 2017, 61 initial reports are still overdue for the Optional Protocol on the sale of children, child prostitution and child pornography and 43 for the Optional Protocol on

[5] See OHCHR, *Realizing Human Rights through Government Budgets* (New York and Geneva: United Nations, 2017) and general comment No. 19 (2016) on public budgeting for the realization of children's rights.

the involvement of children in armed conflict. With respect to the Optional Protocol on a communications procedure, which entered into force in April 2014, the Committee notes that the number of ratifications and accessions is still low at 37.

39. Finally, the Committee expresses its deep concern about the non-maintenance of the resourcing formula of General Assembly resolution 68/268, as well as the Assembly's decision to endorse the recommendation made by its Advisory Committee on Administrative and Budgetary Questions in its budget resolution (General Assembly resolution 72/261) to only approve 5 temporary assistance positions to support the treaty bodies for the period 2018 to 2019, instead of establishing the 11 posts as requested by the Secretary-General in his first biennial report (A/71/118). These decisions have a serious impact on the work of the Committee, particularly with reference to individual communications, the backlog of which is growing exponentially. Although the Committee's members of the working group for communications, who work pro bono, also carry out research work and drafting between sessions, it is not possible to advance without the support of the OHCHR Petitions and Inquiries Section, which is severely understaffed, and the translation of the cases for proper communication with the States parties and complainants. This means that complainants have to wait for years for a decision on their cases because of lack of supporting staff, including translators. This is especially worrying as the complainants are children, who need a rapid solution in order to prevent lasting damage. Assistance to overcome this problem is really needed, as justice delayed is justice denied.

III. Activities carried out under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure

40. Article 16 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure provides that the Committee shall include in its report submitted every two years to the General Assembly a summary of its activities carried out under this Optional Protocol.

A. Action taken by the Committee in respect of issues arising under article 5 of the Optional Protocol

41. During the reporting period, the Committee received close to 200 communications of which 43 were registered as individual communications under article 5 of the Optional Protocol. Of the 43 registered communications, 31 were registered in 2017, which places the Committee on the Rights of the Child as the human rights treaty body to have registered third most cases in 2017.

42. The Committee adopted decisions on four cases (in which one was a violation and three were inadmissible) and discontinued two cases. As of 2 February 2018, there is a backlog of 11 cases.

43. At its seventy-third session, the Committee adopted a decision of inadmissibility with regard to *U.A.I. v. Spain* (CRC/C/73/D/2/2015). At its seventy-fourth session, the Committee adopted a decision of inadmissibility on *A.B.H. and M.B.H. v. Costa Rica* (CRC/C/74/D/5/2016). At its seventy-fifth session, the Committee decided to discontinue *M.E.B. v. Spain* (CRC/C/75/D/9/2017).

44. At its seventy-seventh session, the Committee adopted its first views finding a violation with regard to *K.Y.M. v. Denmark* (CRC/C/77/D/3/2016). It also adopted a

decision of inadmissibility with regard to *B.S.S., C.A.S. and C.M.S. v. France* (CRC/C/77/D/10/2017) and discontinued *R.L. v. Spain* (CRC/C/77/D/18/2017).

45. All the decisions were adopted by consensus. They are available on the Committee's web page: http://juris.ohchr.org/en/search/results?Bodies=5&sortOrder=Date.

B. Action taken by the Committee in respect of issues arising under article 13 of the Optional Protocol

46. During the reporting period, the Committee received three requests to open an inquiry. In relation to the submission received on 17 September 2015 and registered as No. 2015/1, the Committee requested additional information from the respective State party. With regard to the request received in February 2017 and registered as No. 2017/1, the Committee requested more detailed information from the source of the information.

47. The Committee decided to launch an inquiry with regard to the request received in June 2016 and registered as No. 2016/1 and informed the respective State party in June 2017. It carried out the inquiry mission to the State party in early January 2018 and is currently working on the inquiry report.

IV. Overview of the other activities of the Committee

A. Methods of work

1. Sessions in parallel chambers

48. In 2016, the Committee held one session in parallel chambers. The holding of the seventy-fourth session (January 2016) in parallel chambers was a result of General Assembly resolution 68/268, which allocated three additional weeks of meeting time to the Committee. The Committee's backlog of pending reports has now stabilized at around 40 reports.

2. New rules of procedure and working methods

49. At its seventy-second session, the Committee adopted its decision No. 12 of 18 May 2016 unanimously adopting the Guidelines against Intimidation or Reprisals (San José Guidelines), endorsed at the 27th meeting of the Chairs of the human rights treaty bodies (see annex II to the present report). It will implement them in line with the Convention on the Rights of the Child, the three Optional Protocols to the Convention on the Rights of the Child and the Committee's rules of procedure.

50. On the weekend of 28 and 29 May 2016, the Committee held a retreat in order to discuss how to ensure that its concluding observations were focused, clear, actionable and implementable in line with General Assembly resolution 68/268.

51. At its seventy-third session, the Committee decided to adopt a new structure for concluding observations for States parties that have reported twice already (see para. 19 above).

3. General comments

52. During the reporting period, the Committee adopted five general comments. In 2016, at its seventy-second session, the Committee adopted general comment No. 19 (2016) on public budgeting for the realization of children's rights. At its seventy-third session, it

adopted general comment No. 20 (2016) on the implementation of the rights of the child during adolescence.

53. In 2017, at its seventy-fourth session, the Committee adopted general comment No. 21 (2017) on children in street situations. Following its decision No. 13 (see annex II) to adopt two general comments instead of one in order to provide States parties with comprehensive guidance on the topic of human rights of children in the context of international migration, at its seventy-fifth session, the Committee adopted two joint general comments together with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families: joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration. The two joint general comments should be read in conjunction with each other.

54. In addition, the Committee is continuing its work on the draft revision of general comment No. 10 (2007) on children's rights in juvenile justice. At its seventy-seventh session, the Committee decided that the topic of its next general comment would be children's rights and digital media.

4. Informal meetings with States

55. At the seventy-fourth session, on 31 January 2017, the Committee held its ninth informal meeting with States in the Palais des Nations, Geneva. Almost seventy States attended. The Committee discussed, inter alia, the global study on children deprived of liberty, the simplified reporting procedure, the Optional Protocol on a communications procedure, and concluding observations.

56. At its seventy-seventh session, on 1 February 2018, the Committee held its tenth informal meeting with States. Issues discussed included the launch of the two joint general comments with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the day of general discussion on child human rights defenders, the global study on children deprived of liberty, the simplified reporting procedure, budgetary allocations for children's issues, the new structure of the concluding observations, and the revision of general comment No. 10 (2007) on children's rights in juvenile justice. The meeting was attended by around fifty States.

5. Press releases

57. During the reporting period, the Committee issued 27 press releases, 6 alone and 21 jointly with other treaty bodies or special procedures. Press releases were issued to mark the Universal Children's Day (20 November) and the adoption of the joint general comments on children in the context of international migration. Other press releases focused on specific situations related to children's rights in Australia, France, the Islamic Republic of Iran, Myanmar, Nigeria, the Syrian Arab Republic and the European Union. A number of press releases dealt with the topic of detention of migrant children. All press releases issued by the Committee are available from www.ohchr.org/EN/NewsEvents/Pages/newssearch.aspx?MID=Committ_Rights_Child.

6. Introduction meeting for new members

58. On 12 May 2017, OHCHR held an orientation meeting for the five newly elected members. The current and the former Chair of the Committee and staff of OHCHR contributed to the orientation programme.

B. International cooperation and solidarity for the implementation of the Convention

1. Cooperation with United Nations and other competent bodies

59. During the period covered by the present report, the Committee pursued its active cooperation with United Nations bodies, specialized agencies and other competent bodies. It held meetings with the United Nations agencies and bodies and other competent bodies and representatives as follows:

(a) United Nations agencies and bodies:

- UNICEF: On 31 January 2018, the Committee held its sixth biennial meeting with UNICEF, in which representatives from UNICEF Headquarters and Regional and Deputy Regional Directors participated, to seek ways to enhance the existing cooperation between the Committee and UNICEF (seventy-seventh session). In addition, the Committee was briefed by UNICEF on: the migration crisis (seventy-second session); and minimum standards for child protection in humanitarian action (seventy-sixth session);
- OHCHR: The Committee held regular meetings with the Office to discuss the outcome of the treaty body strengthening process. It also received briefings during the reporting period on the process for monitoring and reviewing the Sustainable Development Goals, updates regarding the Human Rights Council, the meetings of the Chairs of the human rights treaty bodies and issues related to children's rights;
- International Labour Organization (ILO): briefing on ILO Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) (seventy-second session).

(b) Others:

- Executive Committee of Child Rights Connect (seventy-fourth and seventy-sixth session);
- Model United Nations (seventy-second session);
- Jaap Doek, on behalf of End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT International) (seventy-second and seventy-fourth sessions);
- Geneva Academy of International Humanitarian Law and Human Rights (seventy-second session);
- University of Essex, on a research on monitoring the Optional Protocol on the sale of children, child prostitution and child pornography (seventy-third session);
- Susan Bissell, Director, Global Partnership to End Violence against Children (seventy-third session);
- University of Essex, Defence for Children International and the International Centre on Human Rights and Drug Policy for a briefing on article 33 of the Convention (seventy-third session);
- Consortium for Street Children, for a presentation on children in street situations (seventy-fourth session);
- Noam Peleg, University of South Wales, Sydney, for a presentation on the right to development (seventy-fourth session);

- Lucien Lombardo for a briefing on the impact of implementation of the Convention (seventy-fifth session);
- Representatives of the Child Rights Networks of Austria, Germany and Switzerland (seventy-fifth session);
- Beate Rudolf, Chairperson of the Global Alliance of National Human Rights Institutions (seventy-fifth session);
- Quakers for a briefing on children of incarcerated parents (seventy-fifth session);
- Hague Conference on Private International Law (seventy-fifth session);
- Child Rights Information Network (seventy-sixth and seventy-seventh session);
- Global Network for a briefing on the International Accountability Project on child rights indicators (seventy-sixth session);
- International Association of Youth and Family Judges and Magistrates for a presentation on the Guidelines on Children in Contact with the Justice System (seventy-sixth session);
- World Vision for a presentation on the "Child Rights Now" initiative (seventy-sixth session);
- Terre des Homme Germany for a presentation on mapping of environment/climate issues in the concluding observations of the Committee (seventy-seventh session);
- Quakers for a presentation on Roma children in prison with their parents (seventy-seventh session);
- University of Geneva for a presentation on terrorism and children's rights (seventy-seventh session);
- World Federation of the Deaf (seventy-seventh session);
- Latin American Network of Healthy Municipalities and Communities (seventy-seventh session).

60. With respect to cooperation with other United Nations human rights mechanisms and special procedures, the Committee held meetings with the following experts:

- Chair, Board of Trustees of the United Nations Voluntary Fund on Contemporary Forms of Slavery, Ms. Vukovic-Sahovic (seventy-second session);
- Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee (seventy-fifth session);
- Member of the Every Woman Every Child's Independent Accountability Panel, Alicia Yamin (seventy-fifth session);
- Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (seventy-fifth session);
- Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Baskut Tuncak (seventy-fifth session);
- Committee on Economic, Social and Cultural Rights, for a meeting on women and adolescent's health organized by the Geneva Academy (seventy-fifth session);
- Special Rapporteur on human rights and the environment, John Knox (seventy-seventh session);

- Working Group on business and human rights (seventy-seventh session).

2. Participation in United Nations and other relevant meetings

61. In 2016, the Chair of the Committee, Mr. Mezmur, participated in the 28th meeting of the Chairs of the human rights treaty bodies in New York. In 2017, the Chair of the Committee, Ms. Winter, represented the Committee at the 29th meeting of the Chairs of the human rights treaty bodies, which took place in New York.

62. In 2016, the Chair of the Committee, Mr. Mezmur, in accordance with General assembly resolution 70/137, held an interactive dialogue with the Third Committee on 13 October. On 10 October 2017, as requested in resolution 71/177, the Chair of the Committee on the Rights of the Child, Ms. Winter, held an interactive dialogue with the Third Committee.

63. Members of the Committee participated in a variety of meetings at the international, regional and national levels, where issues relevant to the rights of the child were raised.

3. Other related activities

64. The Committee recommended in its biennial report A/69/41[6] that the Secretary-General be requested, through the General Assembly, to conduct an in-depth international study on children deprived of their liberty, in accordance with article 45 (c) of the Convention on the Rights of the Child. In this regard, the General Assembly in its resolution 69/157 on the rights of the child, invited the Secretary-General to commission an in-depth global study on children deprived of liberty, a request further reaffirmed by the General Assembly in its resolution 70/137.

65. Manfred Nowak was appointed as the Independent Expert leading the study in October 2016. However, there was as a considerable delay in initiating the study, due to a lack of funding. Austria, Germany, Liechtenstein, Malta, Qatar, Switzerland and the European Union and some private foundations have provided funding, allowing the study to get off the ground. The Committee is represented in the study's advisory group by three members, including its Chair.

C. General thematic discussions

66. In accordance with rule 79 of its rules of procedure, the Committee holds a day of general discussion on the second Friday of its September session. At its seventy-third session, on 23 September 2016, the thematic discussion was devoted to children's rights and the environment. The day of general discussion was attended by over 200 participants, including States, civil society actors in the areas of child rights and environment, and child representatives. A summary of the discussions, the list of participants and the set of related recommendations (for the full text of the recommendations, see annex III to the present report) adopted by the Committee at its seventy-fourth session can be found on the web page of the Committee: www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2016.aspx.

67. At its seventy-fifth session, the Committee decided that its next day of general discussion, to be held on 28 September 2018, would be dedicated to protecting and empowering children as human rights defenders.

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[6] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 41* (A/69/41), para. 48 and annex II.

Annexes

Annex I

Membership of the Committee on the Rights of the Child

Name of member	*Country of nationality*
Suzanne **Aho Assouma***	Togo
Amal Salman **Aldoseri****	Bahrain
Hynd **Ayoubi Idrissi***	Morocco
Jorge **Cardona Llorens***	Spain
Bernard **Gastaud***	Monaco
Olga A. **Khazova****	Russian Federation
Hatem **Kotrane***	Tunisia
Cephas **Lumina****	Zambia
Gehad **Madi***	Egypt
Benyam Dawit **Mezmur****	Ethiopia
Clarence **Nelson***	Samoa
Mikiko **Otani****	Japan
Luis Ernesto **Pedernera Reyna****	Uruguay
José Angel **Rodríguez Reyes***	Bolivarian Republic of Venezuela
Kirsten **Sandberg***	Norway
Ann Marie **Skelton****	South Africa
Velina **Todorova****	Bulgaria
Renate **Winter****	Austria

* Term expires 28 February 2019.
** Term expires 28 February 2021.

Bureau of the Committee on the Rights of the Child 2017–2019

Chair	Ms. Winter
Vice-Chair	Ms. Aho Assouma
Vice-Chair	Ms. Khazova
Vice-Chair	Mr. Nelson
Vice-Chair	Mr. Rodríguez Reyes
Rapporteur	Mr. Gastaud

Annex II

Decision No. 12

At its 2106th meeting, the Committee, taking note of the Guidelines against Intimidation or Reprisals ('San José Guidelines') endorsed at the 27th meeting of the Chairs of the human rights treaty bodies, decided to unanimously adopt the San José Guidelines. It would implement them in line with the Convention on the Rights of the Child, the three Optional Protocols to the Convention on the Rights of the Child and the Committee's rules of procedure.

[*Adopted on 18 May 2016*]

Decision No. 13

Decision on joint general comments of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Committee on the Rights of the Child

The Committee on the Rights of the Child,

Noting the desire of the Committee to provide comprehensive guidance to States parties through its joint general comments with the Committee for the Protection of the Rights of All Migrant Workers and Members of Their Families on the human rights of children in the context of international migration,

Noting that General Assembly resolution 68/268 establishes strict limits of 10,700 words for all documents produced by the treaty bodies,

Also noting the volume of input received from the consultations held in Bangkok, Beirut, Berlin, Dakar, Geneva, Madrid and Mexico City which have enriched the joint general comments on children in situations of international migration, in particular from the regional perspective,

Further noting that reducing the joint general comment to 10,700 words will adversely affect the quality of the output and its usefulness to States parties,

1. Hereby decides to establish two joint general comments with the Committee for the Protection of the Rights of All Migrant Workers and Members of Their Families as follows:

(a) Joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration;

(b) Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.

2. Decides further that, while standing in their own right, the two general comments complement each other and should be read and implemented together.

[*Adopted on 11 September 2017*]

Annex III

Recommendations from the 2016 day of general discussion on children's rights and the environment

1. In the light of the objective that the day of general discussion be a forum for raising awareness about and discussing children's rights in order to identify issues for States to take account of in their policies and programmes, as well as to provide guidance to other relevant actors on the protection of children's rights in the context of the environment, the Committee endorses the following recommendations. The recommendations, while mainly addressed to the primary duty bearers — States, also consider the role of other stakeholders, including the business sector, international organizations, civil society and the Committee itself.

States

General recommendations

2. States must protect children against environmental harm that interferes with the enjoyment of their rights. Children's specific vulnerability and social status within society imposes a heightened duty on Governments and policymakers to make sustained efforts to effectively protect children from such harm, strengthen their capacities, take their views and competences into account and provide access to effective and timely remedies.

3. States should ensure children's environment-related rights by realizing them in a sustainable manner such that they can be enjoyed by all current and future generations of children.

4. States must ensure that all children have equal access to healthy and sustainable environments and nature. States must pay specific attention to the rights of children exposed to multiple factors of vulnerability as a result of environmental injustices, including girls, children with disabilities, poor children, and children belonging to indigenous or minority groups.

5. States should take steps to prevent causing or contributing to transboundary environmental harm that affect the rights of children abroad.

Legislation and policy

6. States should develop an enabling legal and institutional environment for adopting a sustainable development pathway that adequately reflects the rights of the current and future generations of children. National laws, policies and actions, as well as international agreements on the environment (e.g., nationally determined contributions/national mitigation and adaptation plans) should explicitly include measures relating to children's rights. In turn, laws, policies, and actions on children's rights should explicitly consider environmental risk factors.

7. States should consider the best interests of the child as a matter of primary consideration when designing, implementing and monitoring relevant environmental laws and policies related to, for example, climate change, prevention of early life exposure to harmful substances, or safeguards for large-scale development projects.

Regulation of the business sector

8. States' obligation to adopt adequate legal and institutional frameworks to protect children's rights extends to harm caused by businesses. In particular, States should require businesses to undertake due diligence in their operations and across supply chains with regard to the harmful effects of environmental degradation on children's rights.

9. Children's rights should be integrated into national action plans on business and human rights, taking into account the business impact in the environmental context.

10. States are encouraged to develop policies and plans (e.g. urban redevelopment plans) that support the transition to cleaner, more environmentally friendly business practices in line with children's rights.

11. States are encouraged to lead by example and require enterprises bidding for large public sector contracts to disclose the steps they are taking to ensure that their activities and those in their supply chain do not negatively affect children's rights with regard to their impact on the environment.

Implementation and accountability

12. States should strictly implement, enforce and monitor regulations designed to protect children from environmental harm and strengthen supervisory bodies in this respect. National human rights monitoring mechanisms should take into account the rights of the child in relation to a healthy and sustainable environment.

13. States should take multisectoral action to protect children's rights from environmental harm and enhance cooperation and coordination among relevant actors, including health professionals and representatives of the environmental, education, labour, urban planning, transport, extractive, energy and agricultural sectors.

14. States should incorporate their child rights obligations when implementing relevant multilateral environmental agreements and policy frameworks. This should include the development of child-specific operational programmes, tools, technical assistance and capacity-building materials.

15. States should set aside sufficient resources for the protection of children's rights in the environmental context.

Reporting

16. States should incorporate information on the implications of environmental harm on the full enjoyment of the rights of the child into their periodic reports to the Committee, as well as the steps they are taking to ensure that children's rights are protected against such harm. This should extend to reporting on their efforts to consider child rights in the context of their action under relevant international environmental frameworks.

17. States should also consider children's rights in their environmental reporting under the United Nations Framework Convention on Climate Change (e.g., national communications and adaptation communications) and international agreements on chemicals and wastes, and in reporting on implementation of environmental targets under the Convention on Biological Diversity and the Sustainable Development Goals.

Ensuring a healthy environment

18. States should take effective measures to prevent childhood exposure to environmental harm, including through development of specific legislation and effective business regulation, and ensure access to health care for treatment. States parties should adopt the precautionary approach in the face of uncertainty regarding children's

environmental health risks. It is recommended that States cooperate internationally in regulating all toxic chemicals that are potentially harmful to children.

19. States should take more active measures — guided by the rights and best interests of the child — to implement environmental health standards, indicators, definitions and age categories set by the World Health Organization and other relevant international bodies.

20. States should develop a national plan to monitor children's environmental health, conduct an assessment of risks, identify priority concerns, including children in vulnerable situations, and develop and implement measures to address those priority concerns (e.g., timely clean-up of contaminated sites). States should ensure that health professionals receive training in diagnosis and treatment of the impact on health related to environmental harm.

21. States should prohibit and eliminate hazardous labour practices where child workers are exposed to environmental risk factors, promote safer alternatives and ensure monitoring of children affected. States should ensure that children receive necessary treatment and compensation for any harm incurred. States should also protect the rights of parents to safe work, especially women and girls of reproductive age.

Ensuring a sustainable environment

22. States should adopt and implement approaches and strategies and establish legal frameworks for the protection of biodiversity, ecosystems services and natural resources that accord with international standards and plans, and ensure the ability of current and future generations of children to exercise their rights to life, survival and development, to be heard and to health, food, water, participation in cultural life, an adequate standard of living, information and education. In particular, States should understand their obligations to respect and protect children's rights against global climate change. Such protection requires urgent and aggressive reductions in greenhouse gases, guided by the best available science.

23. States should ensure that all children and their families and communities have equitable access to the benefits of natural resources and healthy environments, and ecosystems. States must do more to protect the rights of children from communities that have close material and cultural ties to their territories and are most vulnerable to environmental degradation.

Ensuring child-friendly play environments

24. Municipal planning should place a priority on enabling access to environments that increase all children's freedom to play, be active and independent within their community. This can include creating zones giving priority to pedestrians or cyclists over motorized traffic in roads of family housing or play streets outside schools; inclusive parks and playgrounds; access to landscaped green areas, open spaces, "wildlands" or nature; and overall greater "walkability". Furthermore, States should consider the need to orientate planning and regulations in areas that are not generally recognized as relevant for children towards ensuring the play- and child-friendliness of all environments.

Ensuring a connection with the natural world

25. States should take steps to ensure, through policies, strategies and actions in the area of environmental protection, urban planning, health, education etc., the ability of children to interact with nature as an underlying determinant of their rights to health and development, including the development of respect for the natural environment.

Environmental information and research

26. States should recognize children's and their parents' right to know about environmental risks as central to the enjoyment of their human rights and freedoms, and ensure the availability of and access to adequate and age-appropriate information on matters related to children's rights and the environment.

27. States should strengthen efforts to research and monitor childhood exposure to environmental harm in all countries, and particularly for those in developing countries and high-risk situations. In this context, States should, inter alia:

(a) Ensure that all children are equally represented in monitoring and policy-relevant research, in particular vulnerable groups of children. It is recommended that States design inclusive programmes to actively involve children and parents in research and monitoring;

(b) Collect robust exposure data, taking into account children's vulnerabilities and rights, and real-life conditions ("actual exposure");

(c) Undertake longitudinal studies that explore linkages between environmental harm and impact on child rights over time (e.g., disease that may set in later on in children's lives), and other studies of pregnant women, infants, and children that capture exposure at critical windows of development;

(d) Generate and collect information on underexplored issues such as the links between children's rights and biodiversity, ecosystems or access to nature;

(e) Promote the integration of information related to environmental and social determinants of children's health and development throughout time, while ensuring data protection.

Impact assessments

28. States should take explicit account of children's rights in assessments of laws, policies, action plans (strategic environmental assessments) and projects (environmental impact assessments), which are likely to have an impact on the environment. This includes recognizing children as a stakeholder group, adequately considering their rights, risks and vulnerabilities and addressing actual and potential impacts.

Environmental education

29. States have a duty to promote the development of respect for the natural environment as enshrined in article 29 (1) (e) of the Convention on the Rights of the Child. To this end, States should elaborate specific policies that include the views and proposals of children with a view to promoting their rights and educating young citizens. Teacher training programmes should adequately reflect the implications of rights-based environmental education.

30. States should work on meaningful implementation of article 29 (1) (e) of the Convention on the Rights of the Child at every education level from early on. In this respect, States should consider non-formal educational tools such as outdoor activities and field trips and, where relevant, include traditional knowledge. Curricula should be frequently updated to be responsive to rapidly changing environments. States are encouraged to promote direct involvement of children in environmental protection as a crucial component of their learning process and an exercise in social practices that constitute civic participation.

31. States should consider article 29 (1) (e) of the Convention on the Rights of the Child when implementing and reporting on Sustainable Development Goals 4 (target 7),

Sustainable Development Goals 13 (target b) of the 2030 Agenda for Sustainable Development, article 6 of the United Nations Framework Convention on Climate Change and article 12 of the Paris Agreement under the United Nations Framework Convention on Climate Change (Action for Climate Empowerment) and educational measures under other multilateral environmental agreements (e.g. Aichi Biodiversity Target 1).

32. States parties should inform the Committee during their periodic reviews about what specific steps they take to give effect to article 29 (1) (e) of the Convention on the Rights of the Child within their national education systems. In doing so, States should specify how these measures raise children's awareness of their rights and responsibilities with regard to the environment, instil an environmental stewardship ethic, impart the skills children need to become environmental agents and promote equal opportunities for all students to become actively involved.

Freedom of expression and participation in environmental decision-making

33. States should ensure that all children, including younger children, are given opportunities to participate in discussions on the impacts of environmental issues and should build children's meaningful participation into environmental policymaking at all levels.

34. States should consider establishing specific child-friendly platforms for environmental participation and peer sharing and learning. For example, States should develop innovative mechanisms to allow children to be recognized as stakeholders with a right to be heard in decision-making in the Conferences of the Parties to the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity, etc., and to be involved in the design and delivery of projects related to climate change adaptation and mitigation, disaster risk reduction, or nature conservation.

35. States should provide a safe and enabling environment for activists defending environmental rights, and owe a heightened duty of care to activists below the age of 18.

Access to justice in environmental matters

36. States are encouraged to enshrine a justiciable right to a healthy environment and the principle of intergenerational equity in domestic law.

37. States should ensure that children have access to justice and an effective remedy for violations due to environmental harm, including remediation of contaminated sites, preventative and precautionary measures, access to necessary medical and psychological care, and adequate compensation. In this context, States should rebalance the burden of proof and rules of evidence to remove barriers to bringing complaints of environmental harm involving children.

38. States should establish collective and public interest action mechanisms, including for environmental cases, that can provide remedies to all children affected by large-scale environmental damage but do not require all affected children to be directly involved in proceedings.

39. States should ensure non-governmental organizations and children have standing to file and intervene in legal proceedings in the interests of children affected by violations of their environmental rights and on behalf of future generations.

40. States should support specialized and responsive justice sector professionals, civil society groups and legal mechanisms to provide legal representation to safeguard the rights and interests of children in relation to the environment. States should consider establishing environmental courts to facilitate better access to justice.

41. States should enable access to effective judicial and non-judicial mechanisms to provide remedies for children and their families whose rights have been violated by environmental impacts abroad, including private enterprises extraterritorially when there is a reasonable link between the State and the conduct concerned.

42. States should mandate national human rights institutions and/or ombudspersons for children to receive complaints on environmental issues that interfere with children's rights.

International organizations

43. International organizations working on environmental matters should mainstream children's rights in their policies and technical assistance throughout the United Nations system, including at the United Nations Environment Programme, the International Labour Organization, the World Health Organization, the United Nations Framework Convention on Climate Change, the high-level political forum on sustainable development and the United Nations Development Programme, and enhance cooperation and coordination among relevant actors.

44. The United Nations Children's Fund (UNICEF) is encouraged to build on its efforts to mainstream environmental considerations in its own programmes and activities, to assist States at the national, regional and international level to form appropriate policies that mainstream a child rights perspective in their environmental programmes and activities, to support and highlight good practices, and to submit information regarding the child rights impacts of environmental harm in its national reports to the Committee.

Civil society organizations

45. Civil society, including non-governmental organizations, researchers and academic institutions, should gather and disseminate evidence to promote a better understanding and protection of children's rights in the environmental context, including compelling case studies, and raise public awareness about children's environmental rights. Furthermore, civil society organizations are encouraged to assist in collecting information regarding gaps in legal and policy frameworks, as well as examples of best practice regarding child rights and the environment.

46. Civil society should submit more information to the Committee and other human rights mechanisms regarding the child rights impacts of environmental harm, and include children's views on these matters.

47. Civil society should increase collaboration to strengthen recognition of the children's rights dimension of environmental issues within the human rights, environmental, public health, urban planning, business and other relevant communities. Good examples of cooperation between relevant actors working on children's rights and the environment should be shared to inspire learning processes.

48. Children's rights organizations are encouraged to integrate environmental issues in their policies, programmes and activities, including participation in negotiations on future environmental agreements, laws and policies. Environmental organizations should take adequate account of children's rights in their work.